

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ROSEMARY LAQUIDARI *as executrix of the
Estate of Benjamin Laquidari*

Plaintiff,
Civil Action: 5:11-CV-810 (FJS/TWD)

vs.

UNITED STATES OF AMERICA,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF

DeFrancisco, Falgiatano Law Firm
121 East Water Street
Syracuse, New York 13202

Charles L. Falgiatano, Esq.

FOR DEFENDANT:

Office of the United States Attorney
100 South Clinton Street
Syracuse, New York 13261-0646

William F. Larkin, AUSA

FREDERICK J. SCULLIN, JR.
SENIOR U.S. DISTRICT JUDGE

**JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT**

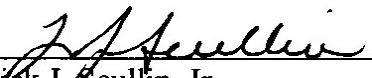
The parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement within 30 days, following which this action will be discontinued by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, it is no longer necessary for this action to remain on the court's active docket.

It is therefore hereby

ORDERED that

- 1) This action is dismissed, with prejudice, except as set forth below.
- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within two months from the date of this order upon good cause shown that the settlement has not been completed and further litigation is necessary.
- 3) The Clerk shall forthwith serve copies of this judgment upon the parties and/or their attorneys appearing in this action by electronic means.

Dated: February 13, 2013
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge